

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

SAFECO INSURANCE COMPANY OF
AMERICA,

Plaintiff(s),

v.

AIR VENT, INC., et al.,

Defendant(s).

Case No. 2:20-cv-01579-JAD-NJK

Order

[Docket Nos. 57, 58]

Pending before the Court is Air Vent's motion to extend the deadline to serve third-party Defendant Powermax Electric. Docket No. 57. No response was filed. Also pending before the Court is a stipulation to reopen and extend the discovery cutoff. Docket No. 58. These matters are properly resolved without a hearing. *See* Local Rule 87-1.

As to the service motion, Air Vent seeks a five-month extension to the current deadline to effectuate service on Powermax Electric in China. Docket No. 57 at 3. Although good cause exists for an extension, the Court is not persuaded that such a lengthy extension is warranted based on the showing made and the current circumstances. *See* Docket No. 57-1 at ¶ 11 (representation that service in China is completed on average within seven months). Accordingly, that motion is **GRANTED** in part and **DENIED** in part. The deadline to effectuate service on Powermax Electric is **EXTENDED** to November 18, 2021.

As to the stipulation for the discovery cutoff, the parties seek a six-month extension in light of the service issue identified above. Docket No. 58 at 5. Particularly given the representation that destructive testing is needed for the subject fan, the Court finds good cause for a reasonable

1 extension to account for the potential late appearance by Powermax Electric.¹ Having said that,
2 the stipulation does not provide sufficient explanation to support a six-month extension. *See*
3 Docket No. 57-1 at ¶ 11 (representation that service in China should generally be completed within
4 seven months). Accordingly, the stipulation is **GRANTED** in part and **DENIED** in part.
5 Deadlines are **RESET** as follows:

- 6 • Amend pleadings/ Add parties: Closed
- 7 • Initial experts: Closed
- 8 • Rebuttal experts: Closed
- 9 • Discovery cutoff: December 17, 2021
- 10 • Dispositive motions: January 18, 2022
- 11 • Joint proposed pretrial order: February 17, 2022, or 30 days after resolution of
12 dispositive motions

13 IT IS SO ORDERED.

14 Dated: September 22, 2021

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17 Nancy J. Koppe
18 United States Magistrate Judge
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27 ¹ The Court cannot delay this case forever based on the potential that Powermax Electric
28 may at some point be served and may thereafter appear to defend itself. In the current
circumstances, however, the Court finds that an extension is warranted.